



Government Relations Update

The Latest on Public Policy and Advocacy Developments from the Federal Bar Association

January 2024

Advocacy Update

This week Congress voted to extend the current Continuing Resolutions for appropriations, which were set to expire on January 19 and on February 2, to March 1 and March 8, respectively. The second batch includes the two appropriations bills the FBA is watching: the Commerce, Justice, Science (CJS) bill, which funds the Department of Justice, and the Financial Services and General Government (FSGG) bill, which funds the federal Judiciary.

On January 7, Congressional leadership announced a bipartisan, bicameral agreement on the overall spending amount for the FY2024 appropriations process, but negotiations continue on the allocations for each of the 12 individual spending bills. There will be some difficult decisions ahead for the appropriators, since the Senate bills were higher in most instances than the House versions, and the new “topline” agreement will necessitate reductions in those Senate levels.

As one of the FBA’s top priorities, the FBA will continue to advocate for fully funding the Judiciary’s request for FY 2024, including probation and pretrial services, as well as full funding for the Article I courts (U.S. Court of Appeals for the Armed Forces, U.S. Tax Court, and U.S. Court of Appeals for Veterans Claims), and for directing specific funds for Anderl Act implementation.

The House majority has proposed a 29% decrease in the overall allocation for the CJS bill. Although the Senate Appropriations Committee provided a higher total allocation for the CJS, at this time neither bill provides specific funds for Anderl Act implementation. As a final version of this legislation is negotiated, the FBA is continuing to work to support directing \$1 million in initial funding for the state and local grant program authorized by the Anderl Act. A bipartisan amendment to accomplish that objective was a casualty of a procedural maneuver that kept it from receiving House floor consideration in December, but we will keep making the case that our judiciary deserves this funding.

Although neither the House nor the Senate FSGG bill includes additional funding for implementation of the Anderl Act, and both bills provide substantially less than the



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amounts requested by the Judicial Conference, both bills do specifically provide that court security account funds may be used “for purposes authorized by the Daniel A. Claitor Judicial Security and Privacy Act of 2022.” The statute authorizes the Administrative Office of the U.S. Courts to take a number of actions, including implementing and maintaining procedures to protect judges’ PII, seeking redress on behalf of a covered person for a violation of the Act, providing judicial security training, and supporting federal law enforcement and security agency threat management capabilities.

We are beginning to prepare for Capitol Hill Day 2025, which is scheduled for March 21. We hope you will reserve that date on your calendar and plan to join us in DC. Watch your emails in the coming weeks for information about registration and preparation sessions.

Legislative Update

1. Judgeships Legislation

We have been in contact with Rep. Issa’s staff in the new year about timing for introduction of a House version of the JUDGES Act. The Congressman is close to finalizing the text of a bill to add 66 federal district court seats, plus two 9th Circuit seats, as recommended by the Judicial Conference in March of 2023. Similar to the plan set forth in the JUDGES Act ([S. 2759](#)) pending in the Senate, the seats would be added in the future, but the timing would be slightly different. Once the bill is introduced, and assuming that it is again bipartisan, we will be asking for FBA member participation in meetings urging support for this legislation.

Judiciary Update

[Sixty-two](#) of 890 active federal judicial positions, including the United States Court of Federal Claims and the United States territorial courts, are currently vacant. Twenty-nine more judicial vacancies are [expected](#) through January of 2025, with one nominee named in advance.

Current Judicial Vacancies – As of January 16, 2024
[According to the Administrative Office of the U.S. Courts](#)



Court	Vacancies	Nominees Pending
U.S. Supreme Court	0	0
Courts of Appeal	4	4
District Courts	55	18
U.S. Court of Federal Claims	1	1
U.S. Court of International Trade	2	2
Total	62	25

There are [sixteen judicial vacancy emergencies](#), based on caseload and/or the length of the vacancy, according to the Administrative Office of the U.S. Courts.

Judicial Confirmations: The Senate has [confirmed](#) six nominees since December 11, 2023.

Nominee	Judicial District / Circuit	Confirmation Date
Brandon S. Long	Eastern District of LA	12/14/23
Jerry Edwards, Jr.	Western District of LA	12/14/23
Sara E. Hill	Northern District of OK	12/19/23
John David Russell	Northern District of OK	12/19/23
John A. Kazen	Southern District of TX	1/09/23
Kato S. Crews	District of CO	1/10/24

Judicial Nominations: Since January 1, 2024, President Biden has [nominated](#) 23 candidates for judicial vacancies:

Nominee	Judicial District / Circuit	Announcement Date
Seth Robert Aframe	1 st Circuit Court of Appeals	01/08/24
Sarah French Russell	District of CT	11/27/23
Adeel Abdullah Mangi	3 rd Circuit Court of Appeals	11/27/23
Edward Sunyol Kiel	District of NJ	11/27/23
Nicole G. Berner	4 th Circuit Court of Appeals	11/27/23

Joshua Paul Kolar	7 th Circuit Court of Appeals	1/08/24
Cristal C. Brisco	Northern District of IN	01/08/24
Gretchen S. Lund	Northern District of IN	01/08/24
Kirk Edward Sherriff	Eastern District of CA	01/08/24
Eumi K. Lee	Northern District of CA	01/08/24
Mustafa Taher Kasubhai	District of OR	01/08/24
Julie Simone Sneed	Middle District of FL	01/08/24
Jacqueline Becerra	Southern District of FL	01/08/24
Melissa Damian	Southern District of FL	01/08/24
David Seymour Leibowitz	Southern District of FL	01/08/24
Joseph Albert Laroski, Jr.	Court of International Trade	01/08/24
Lisa W. Wang	Court of International Trade	01/08/24
Ernest Gonzales	Western District of TX	01/10/24
Leon Schydlower	Western District of TX	01/10/24
Susan M. Bazis	District of NE	01/10/24
Ann Marie McIff Allen	District of UT	01/10/24
Kelly Harrison Rankin	District of WY	01/10/24
Robin Michelle Meriweather	Court of Federal Claims	01/10/24

